

PATENT



I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE U.S. POSTAL SERVICE FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: COMMISSIONER OF PATENTS AND TRADEMARKS, WASHINGTON, D.C. 20231,

ON September 16, 1999

SIGNATURE John Wolfe

9-16-99  
DATE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Thomas W. Davison et al.  
Serial No. : 09/137,335  
Filing Date : August 20, 1998  
For : CANNULA FOR RECEIVING SURGICAL INSTRUMENTS  
Group Art Unit : 3731  
Examiner : W. Lewis  
Attorney Docket No. : A31-4000

09/22/1999 ARIENHARE 40000035 08137335

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Cleveland, OH 44114

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

1. Pursuant to 37 CFR \$1.97 and \$1.98, and in compliance with 37 CFR \$1.56, the Office's attention is directed to the patents, pending application, publications and other information listed on the attached PTO-1449. A copy of each listed document is enclosed except for pending application. Applicant(s) make no admission that the enclosed documents are prior art to the present invention.

2. Regarding each listed document that is not in the English language, an English-language translation accompanies this Statement as indicated on the attached PTO-1449 or a concise explanation of the relevance of the document is set forth below.

3. Pursuant to 37 CFR \$1.97(b) this Statement is being filed (one must be checked):

- (a)    Within 3 months of the filing date or date of entry into the National stage.  
(b)    Before the mailing date of a first Office Action on the merits.

- (c)      After the period set forth in 37 CFR \$1.17(b) but before the mailing date of either a final action or a Notice of Allowance. D
- 1)      A certification is given below, or
- 2)      Enclosed is a check covering the fee (\$230.00) set forth in 37 CFR \$1.17(p) for consideration of this Statement, or
- 3)      Charge the fee set forth in 37 CFR \$1.17(p) to our Deposit Account No. 20-0090.
- (d) X After the mailing date of either a final action or a notice of allowance, but before payment of the issue fee. Petition hereby is made for consideration of this Statement and the required certification is indicated below.
- 1) X Enclosed is a check covering the fee set forth in 37 CFR \$1.17(i) (1) \$130.00, or
- 2)      Charge the fee set forth in 37 CFR \$1.17(i) (1) to Deposit Account No. 20-0090.

4. Certification (if applicable)

- (a)      The undersigned hereby certifies that each item of information contained in this Statement was cited in a communication from a foreign Patent Office in a counterpart PCT application not more than 3 months prior to the filing of this Statement.
- (b) X The undersigned hereby certifies that no item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the undersigned's knowledge after making reasonable inquiry, was know to any individual designated in 37 CFR \$1.56(c) more than 3 months prior to the filing of this Statement.

5. The Commissioner is hereby authorized to charge any additional fees, fees underpaid, or credit any overpayment with regard to this Statement to our Deposit Account No. 20-0090.

6. Concise Explanation (if needed):

- (1)      Below is a Concise Statement of Relevance of enclosed non-English language document(s).

DOCUMENTS

U.S. Patents

4,4899,729

Statement of Relevance

Discloses a cannula having an expandible end portion

5,354,302

Discloses a dissectoscope having an expansible end portion.

5,902,231

Discloses a cannula 20 which can be a spiral wound tube that is expandable to provide a working channel (see col. 9, lines 44-47).

Respectfully submitted,



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